



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 11-1146

Released: June 30, 2011

**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON
NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL'S PETITION FOR
RULEMAKING TO ALLOW AIRCRAFT VOICE OPERATIONS ON SECONDARY
TRUNKING CHANNELS IN THE 700 MHZ BAND**

RM-11433

Comment Date: July 15, 2011

Reply Comment Date: July 25, 2011

On March 19, 2010, the National Public Safety Telecommunications Council (NPSTC) filed a petition for rulemaking¹ requesting that the Commission consider rule changes to permit public safety aircraft voice operations on 700 MHz narrowband channels designated for secondary trunking use in Section 90.531(b)(7).² Furthermore, NPSTC recommends that the Commission limit public safety aircraft voice operations on these channels to two watts effective radiated power, which is consistent with Section 90.541(d).³

NPSTC bases its proposal on the State of Maryland's request to deploy air-to-ground voice operations on 700 MHz narrowband channels so it may incorporate public safety aircraft into its existing and planned 700MHz networks.⁴ NPSTC contends that allowing air to ground voice operations at 700 MHz is "a nationwide issue affecting all licensees operating aircraft radios."⁵ NPSTC has identified these secondary trunking channels as the "most appropriate" for public safety aircraft voice operations because NPSTC believes these channels "are likely to be lightly used and... sharing arrangements among geographically adjacent agencies can be developed through the Statewide Interoperability Executive Committees...or similar body in the affected states to minimize interference."⁶ Consistent with trunking

¹ Petition for Rulemaking of the National Public Safety Telecommunications Council (filed Mar. 19, 2010) (Petition).

² 47 C.F.R. § 90.531(b)(7).

³ 47 C.F.R. § 90.541(d).

⁴ Petition at 7. Transmitters may operate on Part 90 frequencies aboard aircraft pursuant to § 90.423. *See* 47 C.F.R. § 90.423.

⁵ Petition at 2.

⁶ *Id.* at 5.

on these channels, NPSTC proposes that air-to-ground voice operations be “secondary to conventional interoperability uses.”⁷

We seek comment on whether to initiate a rulemaking proceeding to consider NPSTC’s recommended rule changes. Commenting parties should address the potential costs and benefits of NPSTC’s proposal, including: (1) how and in what ways the secondary trunking channels are used today; (2) the compatibility of the proposed airborne operation with terrestrial use; and (3) what coordination procedures geographically adjacent licensees should employ to limit interference from airborne operation.

Interested parties may file statements supporting or opposing the initiation of a rulemaking proceeding on or before **July 15, 2011**.⁸ Parties may file replies on or before **July 25, 2011**.⁹ Parties may file statements and replies electronically¹⁰ or by paper.

- **Electronic Filing:** Parties may file statements by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Parties should follow the instructions provided on the website for submitting comments. ECFS filers should include their full name, U.S. Postal Service mailing address, and the rulemaking number. Alternatively, parties may submit statements by email. For filing instructions and a sample form, filers should email ecfs@fcc.gov and include the words “get form” in the body of the message.
- **Paper Filing:** Parties who file by paper must file an original and four copies of each filing with the Commission. Parties must also submit an additional copy to the Commission’s copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (voice) (202) 488-5300, (fax) (202) 488-5563, (TTY) (202) 488-5562, or fcc@bcpiweb.com. The Commission accepts paper filings sent by hand, or messenger delivery, commercial overnight courier, or first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). Address paper filings to: Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, D.C. 20554.
- Send hand-delivered or messenger-delivered paper filings for the Commission’s Secretary to the Commission’s contractor, Natek, Inc. at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002, Monday through Friday from 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Discard all envelopes before entering the building.
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9300 East Hampton Drive, Capitol Heights, M.D. 20743.

⁷ *Id.*

⁸ 47 C.F.R. § 1.405.

⁹ *Id.*

¹⁰ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998)

- Send U.S. Postal Service first-class, Express, and Priority to 445 12th Street, SW, Washington, D.C. 20554.

Parties may access documents submitted in RM-11433, including the Petition, by visiting the Commission's ECFS and inputting RM-11433 in the "Proceeding" search field. These documents are also available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI. Email fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau, (voice) (202) 418-0530, (TTY) (202)-418-0432 to request materials in formats accessible to people with disabilities, e.g. Braille, large print, electronic files, audio format.

For further information regarding this proceeding contact Brian Marengo, Policy and Licensing Division, Public Safety and Homeland Security Bureau, (voice) (202) 418-0838 or Brian.Marengo@fcc.gov.

-- FCC --